

AMENDED IN SENATE MAY 26, 2009

**SENATE BILL**

**No. 307**

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**Introduced by Senator Alquist**  
*(Principal coauthor: Assembly Member Lieu)*

February 25, 2009

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An act to add Section ~~35031.3~~ 52322.5 to the Education Code, relating to ~~school districts~~ *regional occupational centers or programs*, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 307, as amended, Alquist. ~~School districts: compensation of district superintendents.~~ *Regional occupational centers or programs.*

(1) Existing law authorizes the establishment of regional occupational centers or programs to provide career technical education and technical training to students. Existing law provides a system for the funding of regional occupational centers or programs that includes a provision for the apportionment of state funds to these centers or programs.

This bill would require, commencing in the 2009–10 fiscal year, in any fiscal year when a specified provision of existing law is not operative, that a regional occupational center or program established and maintained by school districts as a joint powers agency receive its operating funds directly from the county office of education of the county in which it is located, in a manner that is consistent with the apportionments for those school districts that comprise the joint powers authority that are provided to the county office of education pursuant to the annual Budget Act.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law establishes the system of public elementary and secondary education in this state. Under that system, the governing boards of school districts throughout the state operate elementary and secondary schools and are authorized to employ various employees and officers, including a district superintendent. Existing law authorizes the governing board of a school district to elect a district superintendent, among other officers, for a term of no more than 4 years.~~

~~This bill would, commencing January 1, 2010, require the governing board of a school district to include the following provisions in any contract for the services of a district superintendent: the district shall not provide any compensation to the superintendent after the expiration of the term of the contract; the district shall not provide any type of severance compensation to a superintendent who resigns before the expiration of the term of the contract; and the district shall conduct a review of the performance of the superintendent at the close of each year of the term of the contract.~~

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 52322.5 is added to the Education Code,*  
2     *to read:*  
3     *52322.5. Commencing in the 2009–10 fiscal year, in any fiscal*  
4     *year when Section 52321 is not operative, a regional occupational*  
5     *center or program established and maintained by school districts*  
6     *as a joint powers agency pursuant to Section 52301 shall receive*  
7     *its operating funds directly from the county office of education of*  
8     *the county in which it is located, in a manner that is consistent*  
9     *with the apportionments for those school districts that comprise*  
10    *the joint powers authority that are provided to the county office*  
11    *of education pursuant to the annual Budget Act.*  
12    *SEC. 2. This act is an urgency statute necessary for the*  
13    *immediate preservation of the public peace, health, or safety within*  
14    *the meaning of Article IV of the Constitution and shall go into*  
15    *immediate effect. The facts constituting the necessity are:*  
16    *In order to provide increased flexibility in the funding of regional*  
17    *occupational centers or programs, commencing with the beginning*  
18    *of the 2009–10 fiscal year, it is necessary that this act take effect*  
19    *immediately.*

1     ~~SECTION 1. Section 35031.3 is added to the Education Code,~~  
2     ~~to read:~~

3     ~~35031.3. Notwithstanding any other provision of law,~~  
4     ~~commencing on January 1, 2010, the governing board of a school~~  
5     ~~district shall include each of the following provisions in any~~  
6     ~~contract for the services of a district superintendent:~~

7     ~~(a) The district shall not provide any compensation to the~~  
8     ~~superintendent after the expiration of the term of the contract.~~

9     ~~(b) The district shall not provide any type of severance~~  
10    ~~compensation to a superintendent who resigns before the expiration~~  
11    ~~of the term of the contract.~~

12    ~~(c) The district shall conduct a review of the performance of~~  
13    ~~the superintendent at the close of each year of the term of the~~  
14    ~~contract.~~